MEANING OF THE DEAL

What the C., H. & D.-Q. & C.-Monon Combine Will Accomplish.

Many Changes in the Official Rosters of the Lines Interested Likely to Be Made-The L. L. & C.

Seldom does a telegram regarding railway interests excite more comment than that in the Journal of yesterday regarding the Cincinnati, Hamilton & Dayton, the Queen & Crescent and the Monon deal. In the first place, it means that the roads are practically owned and controlled in Cincinnati, a telegram from a high official in the combination stating that the properties are free from all control of foreign interests by this local ownership, and it is the intention to further enlarge the business of the lines with the system's friendly connections, the purpose of the purchase being, further, to operate the properties, as originally intended, as Cincinnati interests. The same control means greater efficiency for all roads in the interest, and more economical and harmonious operation of the lines in the combination, which will benefit the Monon as well as the C., H. & D. and the Q. & C.

It is understood that Samuel Felton, jr., will retire from the presidency of the company, and doubtless take service again with the Erie, which saw its brightest days when he was its president. M. D. Woodford will be president of the lines named, except the Monon, and may eventually be president of the latter, as the Thomas syndicate, which owns the L., N. A. & C., are warm friends of President Woodford, and on most friendly terms. William Green will without question be the general manager of the lines in the interest north of the Ohio river, and R. Carroll of the lines south of the river, as both are very competent men and have proved valuable officers to the respective interests. It is understood that D. G. Edwards will be appointed passenger traffic manager, with W. C. Rinear-son as general passenger agent of the lines south of the river and Frank Reed of the lines north of the river, which will be followed by establishing through train service between Toledo, Chicago, Indianapolis and the southern terminal of the Queen & Crescent, which has been a favorite idea with Mr. Edwards when general passenger agent of the Queen & Crescent, and later when holding the same position with the Circinnati, Hamilton & Dayton. It is further stated that a new fast freight line will be established to operate over the new system of roads. The deal may help the Louisville & Nashville indirectly, as the Big Four may turn its Southbusiness to that road out of Cincinnati, instead of the Queen & Crescent. The Pennsylvania has no love for the Cincin-nati, Hamilton & Dayton and the Monon,

There is some speculation as to the Queen & Crescent withdrawing from the Grand Central Station at Cincinnati and using the terminal of the Cincinnati, Hamilton & Dayton. As matters now stand, however, it would be a gain for the Cincinnati, Ham-ilton & Dayton could it run its trains into the Grand Central Station; should it not, the time is not far distant when the Cincinnati, Hamilton & Dayton will carry out the plans of H. S. Ives and C. C. Waite, which was to secure the right of way to the heart of Cincinnati and build a station, to be occupied by the C., H. & D. the Erie and the Q. & C. It is not gener ally known, but it is true that the Cincinnati, Hamilton & Dayton holds options on property looking to such an improvement which were secured when Ives was in con-

and it may prove beneficial to the Louis-

ville & Nashville on that score.

A railroad official who is usually well informed about the movements of Samuel Thomas, president of the Monon, and Calvin S. Brice, president of the Lake Erie & Western, both of whom are also interested in the Queen & Crescent and the Erlanger lines, says the deal was but the carrying out of negotiations commenced two years ago, but checked for the time being by the difficulty of placing new railway securities on the market at prices which would justify pushing the deal

A dispatch from Cincinnati last night

says: Mr. Eugene Zimmerman, vice president of the Cincinnati, Hamilton & Dayton railway, was seen to-night by the Asso-clated Press correspondent. He confirmed the fact of the deal by which the principal owners of the stock of the Cincinnati, Hamilton & Dayton railway secure control of the Cincinnati, New Orleans & Texas Pacific, by a deal consummated in New York late yesterday. He says this transaction was made independently of the C. H. & D. as a corporation. The principals in the purchase were President Woodford and Vice President Zimmerman, of the C., H. & D.; Messrs. Henry Shoemaker and Alfred Sully, of New York, and Henry A. Taylor, of Connecticut. Vice President Zimmerman says that the Monon is not in the deal. The system will comprise the Cincinnati, Hamilton & Dayton and the Cincinnati, New Orleans & Texas Pacific and their traffic connections. There will be no central consolidation of offices. Each road will preserve its autonomy as heretofore. The general policy of the road will be to favor the C., H. & D., and thus divert much carrying through Cincinnati that formerly went either through Louisville or via the East Tennessee, Virginia & Geor-At the same time the usual comities will be extended to all roads outside of the system in the way of freight and passenger business. Vice President Zimmerman says that the Brice-Thomas syndicate is in no way interested in the deal. Business men here to-day were jubilant. They talked of nothing else. It is believed that the policy of this system will be aggressive, and that it will make Cincinnati the focus of a great business system exding from New Orleans, Shreveport and Jacksonville to New York, Chicago and St.

Against the Gulf Road.

At Omaha, yesterday, Judges Caldwell and Sanborn, of the United States Circuit Court, decided the famous Union Pacific-Gulf case against the Gulf road. The court holds that the Union Pacific is not compelled to operate the Julesburg branch to Denver, but says the receivers must take into consideration the demands of the public and the conference and agree upon some basis by which the people may be properly served. The great bone of contention-the interest question-the court holds that special findings are necessary before a decision can be reached. Accordingly, William D. Cornish, of St. Paul, is appointed a special master in chancery to hear the matters in dispute, make accountings and report his findings to the District Court of Nebraska. The judges also hold that the federal court for the Nebraska district is the court of primary furisdiction in matters pertaining to the Union Pacific, instead of applying to Judge Hall. Receiver Trumbull, of the Gulf road, should come before Judge Dundy.

Seeking Entrance to the City. E. N. Talbott, president of the Indianapolis, Logansport & Chicago, is in the city, accompanied by a number of other gentlemen from Logansport. While rather reticent as regards building the road, Mr. Talbott said they did not expect that the city authorities would stand in the way of the company securing entrance to the city. The company now has the right of way from Logansport to within two squares of the Statehouse, and all it asks is permission to lay its track alongside the track of the Big Four leading to the flouring mills around what is know as "Cape Horn." Not one person's property would be injured by the company's tracks, the line passing through a portion of the city where there are nothing but old houses, most of them uninhabited. The party will remain here for a day or two and will endeavor to get matters in such shape that work can begin all along the line. More grading has already been done than most

people are aware of. Against the C., I. & S. E. Subsidy. Last summer the citizens of Fairmount township, Grant county, voted a tax of \$28,341.31 in favor of the Chicago, Indiana & Southeastern railway, which was being built through that township. Yesterday morning Charles T. Parker, of Fairmount, and asked for an alternative mandamus compelling the treasurer to refrain from collecting the tax. Hard times and the depression caused by the failure of the bank at Fairmount came on the itizens shortly after they had voted the tax and they look on it now as a white elephant. They claim that the railroad company has

not fulfilled its part of the contract. The Burlington Fined.

The Burlington road was in hot water yesterday at the meeting of the Chicago association of Western lines. Charges were made that it had sold two tickets from Chicago to St. Paul for \$10.50 each, a cut of \$1 from the regular rate, and that on edy for the day following this transaction it sold 25 cents.

fourteen similar tickets for a total of \$41, a reduction of \$1.25 on each ticket. It stoutly denied the charges, but the association levied a fine of \$350, from which the Burlington appealed to the Western Passenger Association.

Personal, Local and General Notes. George E. Farrington, secretary of the Vandalia, is so ill as to confine him at

It is stated that the St. Louis & Chicago road is to be incorporated into the Jacksonville Southeastern system. It is stated that agents of the Chicago & Eastern Illinois are engaging trainmen with a view to a possible strike.

James McCrea, first vice president of the Pennsylvania Company, has gone East for a conference with the officials of the parent All doubt of an advance in Western passenger rates was removed yesterday by the telegraphic agreement of the transmissouri

Thomas Burnside, formerly passenger conductor of the Indianapolis & Vincennes, now owning a farm at Liberty, Ind., is in the city.

Edward Majors, passenger conductor on the Pittsburg, Fort Wayne & Chicago, is so ill that his recovery is said to be extremely doubtful

J. T. Odell, although bearing the title of vice president of the New York & New England, is to perform the duties of president of the company until further notice. George Russell, who for some years was yardmaster of the Indianapolis, Peru & Chicago, now owning a hotel in Wis., is in the city calling on old

All the Western roads have voted to continue the sale of midwinter fair tickets between Chicago and the Pacific coast until June 30. The limit previously set was April 30.

A capitalist of Kentucky is the largest holder of stock of the Cincinnati, Hamilton & Dayton. He purchased it at 80 cents on the dollar. Stock of the C., H. & D. is now selling at \$158 per share. At the shops of the Indianapolis, De-

catur & Wetsern fifty of Kingan & Co.'s refrigerator cars are being rebuilt. The Kingan company have 150 of these cars, one hundred of them being practically new. All obstacles to the complete restoration of rates between Chicago and the Missouri river and California have been removed, and all lines have agreed thereto. The ten days' notice of restoration will be given to-day.

On April 1 G. C. Weaver will take the superintendency of terminals of the Louisville, Evansville & St. Louis at Evans-ville and W. D. Taylor will succeed Mr. Weaver as agent of the company at Mt.

E. O. Hopkins, receiver of the Louisville, Evansville & St. Louis, talks encouragingly of the future of the road. The owners are taking a hand in placing the property in its feet financially and improving it physically.

The Santa Fe carries one of the largest insurance policies against fire ever written; it is for \$17,000,000 and covers every piece of property on the system of 9,436 miles. The premium it pays every year amounts to \$170,000.

J. B. Stahlman, commissioner of the Southern Railway and Steamship Association, is ill, the result of anxiety and over-work in the interests of the organization. While not dangerously ill, it will be several days, it is stated, before he will be

A rumor has been set affoat that M. H. Smith is to be ousted from the presidency of the Louisville & Nashville. One who is well informed as regards the road's affairs says such talk is nonsense, and that Major Smith will be president of the road as long as he wishes to be.

The indications are that the Kentucky and Indiana Bridge Company will be obliged to sell the property at foreclosure sale, and it is believed that the Baltimore & Ohio will be one of the bidders. Parties interested in the Monon and the Louisville Southern will also be bidders.

So far as the Indianapolis lines are concerned all trouble between the railroad companies and employes with respect to cuts n salaries has been smoothed down, a feeling prevailing among the employes that their old wages will be restored when the management see that they can safely do so. Notice was given yesterday that on April starch would be placed back in the sixth class, making the rate from Chicago to New York 25 cents. For some weeks past it has been carried on the basis of 20 cents per one hundred pounds from Chicago to the seaboard. Local starch manufacturers

are not taking kindly to the change. The holders of the first mortgage bonds of both divisions of the Peoria, Decatur & Evansville are moving to have the road sold at foreclosure sale. A committee has been appointed to act in the matter, and, if not thought wise to sell the property at the present time, take steps to protect the first mortgage bondholders' interests.

Benjamin McKeen, superintendent of the Peoria division of the Vandalia, has put on construction trains and has one distributing about 40,000 cross ties to be put under the track at once. He will do a good deal in the way of ballasting, and when this is done the track of this division will be as good as 75 per cent. of the track in Illinois.

General Freight Agents Miller, of the C. B. & Q.; Johnson, of the C. & R. I., and Freight Traffic Manager Parker, of the Missouri Pacific, have been appointed a committee to represent the Western Freight Association in the adjourned conference in Washington with the Interstate-commerce Commission in the preparation of joint freight tariffs.

The acquisition of the Queen & Crescent by the Cincinnati, Hamilton & Dayton places M. D. Woolford at the head of 2,058 miles of road, connecting many of the most important cities and towns in the central and Southern States. Mr. Woodford's rise as a railroad man has been a marked success. He is now fifty-six years of age. He entered railway service in 1853 as a telegraph operator, and re-mained with the Erie three years; in 1856 he went to the Michigan Central as chief train dispatcher, afterwards becoming superintendent of telegraph, which position he held for eleven years or more; in 1872 he took the position of assistant general superintendent of the Great Western rail-way of Canada; in 1875 he was appointed assistant treasurer of the Chicago & Michigan Lake Shore road; a year later he became superintendent of the United States division of the Canada Southern; since then he has held the position of general manager of the Cleveland & Marietta, the Toledo Belt road, president and general manager of the Wheeling & Lake Erie, and on June 17, 1890 became president and general manager of the Cincinnati, Hamilton & Dayton. In March, 1893, he was elected president of the Cleveland, Lorain & Wheeling.

A Butter Dryer.

Michigan Farmer. A new dairy implement, just beginning to come into use in England, is the butter dryer, described as follows: It consists of a round hoop of perforated metal, lined with butter muslin; the top and bottom - or, rather, the sides-are of wood, and are detachable. Through the center runs a spindle of wood, with a square hole through its center to admit the iron spindle of the churn. The grains of butter are scooped from the churn into the dryer, and after the water is let out of the churn and the disc removed (this may be done in a minute). the dryer is placed in the churn, and, after a cloth is thrown over the top, turned as rapidly as possible. At first the water is thrown off in large quantities, gradually lessening until, after turning for two or three minutes, none comes away and the butter may be removed. Without further working it is ready to be made into prints,

Peffer's Cruelty.

Philadelphia Record. Et tu Peffer. The Easter snowstorm and the boreal blizzard that set in when Coxey and his tramps started on their eastward march was discouraging enough; but nothing that boreas could do was quite so frigid as to have the expedition laughed at by Senator Peffer. That long-haired Kansan terror should have gone half way to meet Coxey instead of mocking him. Coxey is putting Peffer's preach in practice. The tatterdemalions at Camp Peffer are the legitimate outcome of the Pefferian philosophy. Instead of guying them, Peffer ought to contribute of his means to stay their stomachs and keep their backs warm while they march.

A Test of Chivalry.

Philadelphia Inquirer. There has been a great deal of talk about the chivalry of Kentucky. We shall soon see what it amounts to. If Colonel Breckinridge is returned to Congress the people of his State will proclaim to the world that their boasted civilization is a failure. If he is repudiated, the boast of Kentucky chivalry will not have been made in vain.

Contingent Upon Utah's Admission. Chicago Times.

Colonel Breckinridge is to take the stand in reply to the damaging charges of the devastated Pollard to-day. It looks now as if the Colonel's future usefulness as a statesman is entirely contingent upon the admission of Utah to the Union.

Wonder If He Is?

Philadelphia Press. It begins to look as if Cleveland's waiting to see what Coxey will do before he acts on the seigniorage bill.

Without doubt the most wonderful remedy for pain is Salvation Oil. It sells for

WANTS A REVERSAL

The Iron Hall's Attorney Files a Brief in the Supreme Court.

His Reasons Why the Lower Court's Action Should Not Stand-Wants the Case Advanced -- Other Courts.

The brief of D. W. Howe, attorney for the Iron Hall membership in the much advertised litigation, was filed in the Supreme Court yesterday, the case being appealed from the Superior Court of this county, which appointed a receiver for the order. The document was at once carried away by attorney A. C. Harris, one of the opposing counsel. The brief claims that the order was not insolvent at the time a receiver was appointed; recites the expenses and allowances of the receivership and shows that it was necessary to appoint receivers for the order in other States because one had been appointed here. It is fair to presume, the brief holds, that if the courts of Indiana would permit the order to reorganize and turn its funds and property back to it the courts of other States would do the same. The brief insists that the members should have an opportunity to reorganize if they wish to do so or to quit and distribute the funds in their own way. Almost any plan they might devise would net them more than they will get after years of litigation, the sacritice of property and the expense of forty or more receivers and attorneys.

The brief urges that if receivers had been appointed for any similar order, whether rightfully or wrongfully, and whether the order was insolvent or not, precisely the same condition of things would exist so long as the receivership continued as exist to-day in the Iron Hall. No art by which language is juggled, says Judge Howe, can convert the Iron Hall certificates into absolute unconditional promises to pay a fixed sum. If, notwithstanding the appointment of a receiver and the suspension of the power to make assessments, the certificates go on maturing then a court may seize any such an assessment as this, appoint a temporary receiver and so hold it by the throat for two years and then say: "True, the order was not insolvent when the suit was begun, but the court has made it so by stopping assessments and letting its certificates mature, and therefore we

will now wind it up." The brief contends that it is the cuty of the court first to determine plainly which of the two rival bodies, each claiming to be the lawful Supreme Sitting, is the lawful one, and then turn over to it the property and management of the order. If it is ascertained that neither organization is lawful then it is the duty of the court to allow the members an opportunity of effecting a lawful organization, and, if necessary, to order a new election. This is the relief asked by the defendant. Continuing, the brief says that if the judge who appointed the temporary receiver had said, "This order has been badly managed by unfaithful officers. I will appoint a receiver, but only until they can be removed and new ones elected," no protest had been made by the attorneys for the order; but that was not the view of the trial judge. His view as expressed from the bench was that the plan of the order was chimerical and a fraud, and that the order itself should be wound up as soon as possible. It was useless to expect from a judge expressing such views any aid in effecting a reorganization, and the order was driven to the first appeal in order, if possible, to preserve its existence.

It is not possible, according to the brief,

for the court to undo all that has been done

to the order, but it can revoke the death

sentence pronounced by the lower court and

restore what is left of the property to the

The attorney asks that the case be advanced for reasons as follows, adding that the opposing counsel declined to waive notice and join in his petition to advance the appeal: 1. A large sum (\$2,000,000) is involved in the appeal, of which \$700,000 is in the hands of receiver Falley. 2. Since Aug. 23, 1891, the order's property has been in the receiver's hands, so that appellant has been unable to carry on its business. 3. That distribution should be made, if appellees are entitled to distribution, so that all members may share ratably therein, but that proceedings are pending for distribution among only Indiana members and branches that have accounted, and that of a membership of 63,281 only 1,711 live in In-

THE GOVERNMENT'S WITNESSES. List of Those Summoned by the Prosecution in the Bank Suits.

Judge Woods and Judge Baker, of the federal court, will return to-morrow from Chicago. Next week Judge Baker will hold court at Evansville. The following week the famous bank cases come up. Subpoenas were issued yesterday for the following witnesses for the government in these cases, most of whom were before the grand jury last December: In the case of the United States vs. T. P.

Haughey: Edwin B. Pierce, city; George C.

Pyle, city; Ellen J. Wylie, No. 444 Cornell avenue, city; Lew Wallace, Crawfordsville; L. A. Boyd, No. 386 Broadway, city; A. L. Mason, city. In the case of the United States vs. T. P. Haughey and Schuyler C. Haughey; E. F Couper, city; Charles Geist, city; Charles E. ner, city; W. H. Wilson, city; John F. White, city; J. H. Yocum, Chicago, Ill.; A. F. Brooks, Pittsburg, Pa.; L. L. Sadler, Pittsburg, Pa.; E. Shirts, Noblesville, Ind.; W. E. Dunn, Noblesville, Ind.; W. A. Hoev-eler, Pittsburg, Pa.; Howard R. Kern, Philadelphia, Pa.; Otto J. Weil and Albert E. Weil, Chicago. In the case of the United States vs. T. P. Haughey, and the United States vs. F. A. Coffin et al.: Charles R. Clark, 73 Nassau street, New York; John P. Frenzel, city; William R. Nutting, Boston, Mass.; Thomas L. Pierce, Boston, Mass.; John N. Roberts, city; Frank L. Reed, city; George D. Boulton, Chicago; Alfred H. Byrd, New York; R. L. Harrison, New York; Henry W. Donald, New York; F. W. Dickerman, Chicago, Ill.; J. Henry Long, Chicago, Ill.; L. V

Morton, city; Arthur R. Holliday, city; M. Ross Masson, city; V. T. Malott, city; H. C. Smith, Seymour, Ind.; John M. Tufts, New York. In the case of the United States vs. T. P. Haughey, the United States vs. S. C Haughey et al. and the United States vs. F. A. Coffin et al.: William A. Bradshaw, city; Thomas B. Baggs, city; Schuyler Colfax, South Bend, Ind.; N. W. Ferguson, city; W. F. C. Golt, city; F. M. Hayes, city; Edward Hawkins, city; Charles F Meyer, city; S. A. Morrison, city; L. J. Robinson, city; Edwin E. Rexford, city; William R. Rexford, city; McDonald Robinson, city; Harvey Satterwhite, Martins-ville, Ind.; J. Blake Stone, city; H. C. Van Anda, city; Ed F. Ziegel, city; W. T. Fen-ton, National Bank of the Republic, Chicago, Ill.; G. W. Holman, Rochester, Ind.; Hugh Young, Pittsburg, Pa.; C. T. Jame-

son, Urbana, O. Must Hold the Money.

Henry Coe yesterday filed an answer in the Superior Court' to the action recently brought by the German Fire Insurance Company to recover funds alleged to be held by him. The defendant avers that the charges made by the plaintiff that he converted funds to his own use are false and malicious. He shows that at the time he withdrew from the services of the German Fire Insurance Company he had in his hands as agent the sum of \$535, but avers that he could not turn over the amount lawfully to the plaintiff because of a notice served on him by the Columbia Encaustic Tile Company showing that it held a loss claim and lemand against the company, and that it had secured a judgment against the insurance company, which required its agent to hold all moneys in his hands from the date of notice.

The Martindale Injunction Suit. Judge Bartholomew yesterday heard arguments upon the complaint of Robert Martindale to enjoin the further work upon the State ditch sewer until the city should agree to construct the Bell-street sewer. City Attorney Scott argued that the charter provided a time and place for remonstrance, and the complainant having failed to take advantage of the opportunity now had no day in court. Charles Martindale, attorney for the plaintiff, argued that the construction of the State ditch sewer without the Bell-street sewer was a damage to the property, and that they were entitled to an injunction to prevent it.

Will Borrow \$50,000.

E. O. Hopkins and James H. Wilson, receivers of the Louisville, Evansville & St. Louis Consolidated Railroad Company, have | things and no chance to earn a dollar to | delivered.

been authorized by Judge Woods to bor-row \$50,000 with which to pay interest on bonds. He also sent an order from Chicago, yesterday, allowing the receivers to carry out a contract relating to a coal road in Pike county. The coal road is one of the feeders of the L., E. & St. L. C. railroad, and the receivers are authorized to continue the traffic arrangement with it.

A Lawyer Charged with Perjury. Yesterday afternoon a warrant was served on attorney D. L. Cady charging him with perjury. During the second week of this month Mr. Cady filed a suit on account in Justice of the Peace Johnston's court against Henry Frank, a Panhandle engineer, residing at No. 780 East Market street. The trial was set for April 9. Yesterday Frank appeared at Justice Habich's court and swore out the above warrant. The trial will be held this afternoon at 2 o'clock.

Sunday Violator Fined. Philip Zaph, a Virginia-avenue saloon keeper, charged with selling liquor on Sunday, was fined \$10 and costs yesterday by Judge Cox, of the Criminal Court. Zaph told the court that he did not sell the liquor to be drunk as a beverage, but that he supposed it was to be used for medicinal purposes. One O'Brien, who purchased the whisky, failed to substantiate the statement, and the court assessed the fine.

Fined for Going Home Drunk. In the Police Court, yesterday morning. George Hartley was fined for drunkenness and malicious trespass, on his plea of guilty. His wife testified that he came home drunk and tried to smash all the furniture in the house. George Whitney was fined \$10 and sentenced to the workhouse for thirty days for assault and bat-tery upon his sister, Mrs. Amanda Ford.

Must Have No Advantage. In the case of Walter J. Hubbard against William J. Kane, on trial in the Circuit Court, Judge Brown yesterday instructed the jury to find a verdict for the plaintiff. Kane was made one of the preferred creditors by George K. Schofield, and Mr. Hubbard, as the assignee of Schofield, brought suit to set aside the preference.

More Costs Than Lien. The case of Nathan Dalton vs. Mary Hoffman, suit on mechanic's lien, is being tried by Judge Harper. Although the case involves but \$100 it has been in the courts for two years. It has gone through the Circuit and Appellate courts, and Is now up for a final hearing in Room 2.

Booth Bell Goes North Monday. Booth Bell, alias George Kidd, was brought into the Criminal Court, yesterday, and formally sentenced by Judge Cox. His attorney at once filed a motion for a new trial, which was overruled b Bell will be taken to the Michigan City prison the first of the week.

Gave Mrs. Parrish a Divorce. Judge Harper yesterday dissolved the marriage relations existing between Jennie and Clinton Parrish. The wife was granted a divorce, with \$4 a week alimony and the custody of two children. The allegations were cruel treatment and failure to pro-

THE COURT RECORD.

Supreme Court Opinions. Adams et al. vs. Curtis et al. White C. C. Affirmed. Dailey, J.-The disclosure of fraudulent intent in a conveyance is seldom a matter of proof by direct and positive evidence. The law is satisfied with a reasonable degree of certainty. When there is evidence tending to support the finding of the court, it will not be dis-

16674. Davis et al. vs. Talbot, receiver. Montgomery C. C. Reversed. Hackney, J. -An agent to collect has only authority to receive payment, and possibly implied power to sue, but cannot bind his principal by agreements short of an actual collection. When a special agent exceeds his authority, and his act is not ratified by the principal, such act is not binding upon the principal. A party dealing with a special agent is required to know the extent of the agent's authority, and the burden is on the person dealing with such agent, outside the legitimate scope of the agency, to show affirmatively the permission of or ratification by the principa 16566. Bell et al. vs. Marsh, treasurer. Clinton C. C. Rehearing denied. Howard, C. J.—The act of 1889 concerning the aid of townships to railroads (R. S. 1894, Section 5340) is general, and not local or special, but the decision of that question was for

the Legislature. Appellate Court Opinions. 1097. Bolds vs. Woods. Adams C. C. Reversed. Reinhard, J.—If lands are situate in another State, false representations as to its location, character of improvements, nature and quantity of crops produced and the consequent value of the land made with knowledge of falsity, if relied upon, are actionable. 2. Representations concerning future matters are either mere opinions or mere promises, and will not support an action for fraud. If the representations are part of the res gestae they are admissible. 3. A deposition must be taken before an official named in Sec. 422, R. S., 1894. This court will not take judicial notice that a county clerk in a foreign State is "clerk of a court of record," and unless he is shown to be such the deposition should be

860. Brothers vs. Wood. Putnam C. C. Affirmed. Lotz, J.-When a foreman in a factory had general supervision and control of employes, and to direct where and what work was to be done, and he ordered an employe to work in a place which was dangerous, of which the foreman had knowledge and the employe was ignorant, in which work the foreman and another employe also engaged, and such employe was injured without contributory fault;

held, the master is liable. 1055. Severinghaus vs. Beckman. Floyd C. C. Reversed. Gavin, J.-1. No combination was necessary to make actionable a slander for which the conspiracy is aleged to have been formed. The only effect of the allegation of conspiracy was to hold both defendants responsible and in aggravation of the wrong. 2. When a conspiracy is alleged to have been formed to commit an act which, if done by one alone would be an actionable wrong or where the conspiracy charged is not by law a crime, then the conspiracy is not the gravamen of the action and the test for the accomplishment of which it was formed must be well pleaded before the complaint 1066. P., C., C. & St. L. Railway Company ys. Woodward. Scott C. C. Rehearing de-

Anderson vs. Oskamp et al. Elkhart C. C. Rehearing granted.

Superior Court. Room 1-James M. Winters, Judge. John S. Ellis vs. C., C., C. & St. L. Railroad Company: damages. Jury returned verdict for plaintiff for \$5,000. John South vs. Wilhelmina T street lien. Dismissed and costs paid. Albert South vs. Lisetta J. Meyers et al.; street lien. Dismissed and costs paid. George Hitz et al. vs. Daniel F. Ellwanger et al.; account. On trial by court.

Room 2-J. W. Harper, Judge. John P. Good et al. vs. Orlando S. Hoover et al; suit on note. Tried by court. Finding and judgment for plaintiff for \$151.55. Jennie E. Parrish vs. Clinton W. Parrish; divorce. Decree granted plaintiff, to-gether with custody of children. Nathan Dalton vs. Mary Hoffman; mechanic's lien. On trial by court.

Circuit Court. Edgar A. Brown, Judge. Walter J. Hubbard vs. William J. Kane; to set aside deed. On trial by jury.

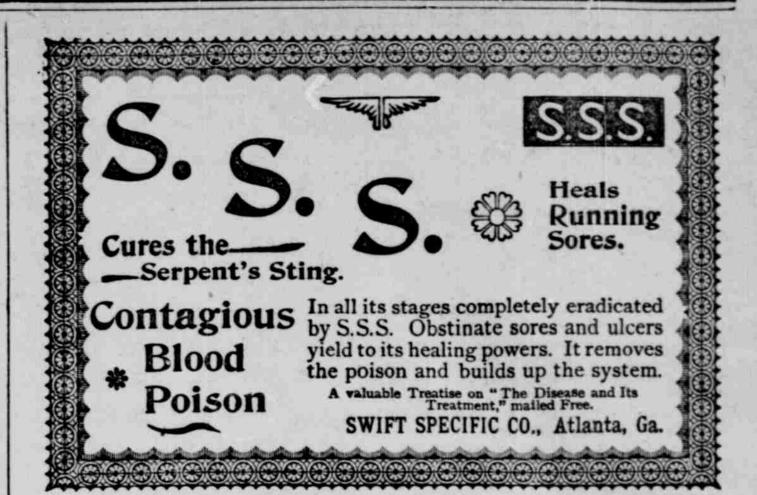
Adam Hereth et al. vs. Edward G. Nicklaus et al.; partition. Interlocutory decree William Schroelucke vs. Johann Bader's Estate; claim. Trial by court. Finding in favor of claimant for \$1,100. Alonzo Meyers vs. Peter S. Bane, et al.; on note. Dismissed and costs paid.

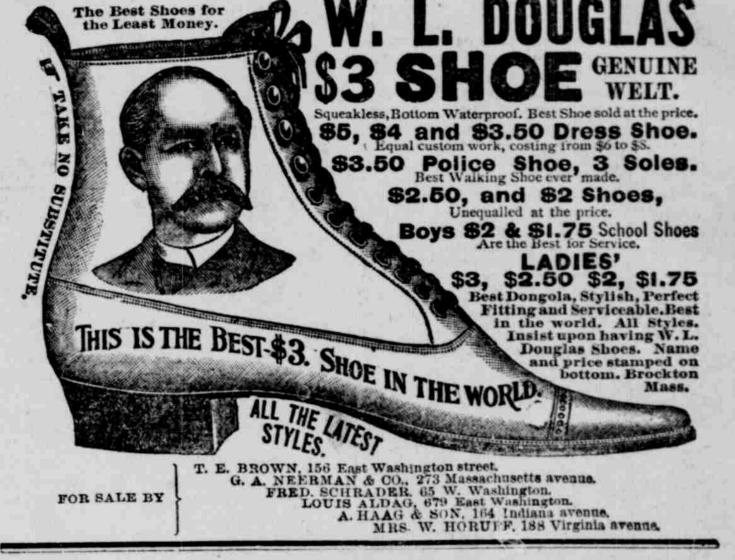
Kench and His Potatoes.

To the Editor of the Indianapolis Journal: The explanation of J. L. Keach that his bill was for potatoes furnished the poor farm has excited a great deal of interest, and to settle a dispute, will you please tell us how many acres in the poor "farm," and if they do not raise potatoes what the products of this "farm" are. I do not remember to have ever seen a public state-ment of the number of paupers, officials, expenses and revenues, and expense per TAXPAYER.

The Republican Outlook. Chairman Carter, in North American Re-

With a manifest misinterpretation of public sentiment presented through the Wilson bill; with current history verifying to an unfortunate degree all predictions made by the most ardent protectionist with reference to the destructive evils to follow the abandonment of the protective policy; with closed factories and open soup houses; with dis-organized business and organized charity; with breadless homes in the midst of the world's greatest granary; with the increase of the flocks of Australia and of South America simultaneously with the disappearance of the ficeks from our own pastures; with New England idle and old England active; with assignees and receivers prominent business factors throughout the land; with organized labor seeking, not higher wages, but any wages; with decreased exports and increased imports; with cheap







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buy them; with idle miners and flooded mines; with increasing farm products thrown into decreasing markets; with our foreign policy reversed, to the humiliation of the Nation, and with confidence and hope supplanted by doubt and uncertainty-who can question that the contrast of worse with better days will result in the overwhelming triumph, in 1896, of the party of progress, patriotism and prosperity.

Equal Suffrage.

Kate Field. It would not surprise some of us if, at the beginning of 1900, every State in the Union admitted the justice of equal suffrage and passed laws placing women where they belong-on a political equality with men. Even the South, still cherishing the notion that women are exquisite infants, cannot much longer remain blind to the advantages to be derived from giving the ballot to educated women. Since the war these exquisite infants have been forced to earn their own living. Contact with the seamy side of the world knocks sentimentality out of women's heads and makes them realize the power of the ballot. That Southern delegates to the recent woman's suffrage convention should have asked to have the next convention held in Atlanta and should have gained the victory over all rivals is a significant straw. I predict that the Atlanta convention will make more converts than any one convention ever yet made, and that when Southern women go into politics their earnestness and enthusiasm will be unparalleled.

Anti-Clan-na-Gael Vengeance.

Chicago Dispatch. Some superstitious crank points out that the death of James M. Donovan yesterday "removed the thirty-fifth man who was an active enemy of Dr. Cronin-that number having met sudden and violent or unexpected deaths since the Cronin murder.' It is a queer combination of circumstances, but retributive justice has had nothing to do with it. R. J. doesn't act in that way.

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